

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Margret Maria Sauter et al.

Examiner: C. Collins

Serial No.: 09/785,738

Group: Art Unit 1638

Filed: February 16, 2001

Docket: 1187-5

**For: ALTERATION OF GROWTH AND
ADAPTATION UNDER HYPOXIC
CONDITIONS**

Dated: November 4, 2002

Commissioner for Patents
Washington, D.C. 20231

RECEIVED

NOV 19 2002

AMENDMENT TRANSMITTAL FORM

TECH CENTER 1600/2900

Sir:

Transmitted herewith is an amendment in the above-identified application.

☐ Small entity status of this application under 37 C.F.R. §§1.9 and 1.27 has been established by a verified statement previously submitted.

☐ A verified statement to establish small entity under 37 C.F.R. §§1.9 and 1.27 is enclosed.

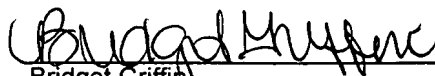
☒ **No additional fee is required.**

For	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate (Small Entity)	Addit. Fee	Rate	Addit. Fee
TOTAL CLAIMS*	49	49	0	x 9 =	\$0	x 18 =	\$0
INDEPENDENT CLAIMS	20	20	0	x 42 =	\$0	x 84 =	\$0
<input type="checkbox"/> First Presentation of Multiple Dep. Claim				140		280	\$0

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

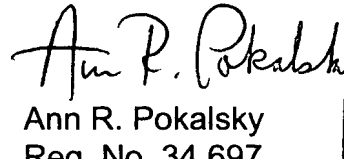
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, Washington, D.C. 20231 on November 4, 2002.

Dated: November 4, 2002


Bridget Griffin

- ☐ Please charge Deposit Account No. 04-1121 in the amount of \$____. Two (2) copies of this sheet are enclosed.
- ☐ A check in the amount of \$__ is enclosed.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §§1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 04-1121. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully submitted,


Ann R. Pokalsky
Reg. No. 34,697
Attorney for Applicants

DILWORTH & BARRESE
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484
ARP/bg



15/212 C.
B. 11/19/02
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Margret Maria Sauter et al.

Examiner: C. Collins

Serial No.: 09/785,738

Group: Art Unit 1638

Filed: February 16, 2001

Docket: 1187-5

For: **ALTERATION OF GROWTH AND
ADAPTATION UNDER HYPOXIC
CONDITIONS**

Dated: November 4, 2002

RECEIVED

Commissioner for Patents
Washington, D.C. 20231

NOV 19 2002

TECH CENTER 1600/2900

RESPONSE TO UNDER 37 C.F.R. §1.111 AND 1.143

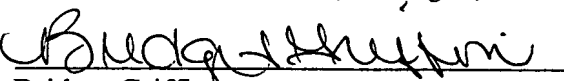
Sir:

In response to the Office Action dated July 3, 2002, setting forth a requirement for restriction, and in accordance with the provisions of 37 C.F.R. §§1.111 and 1.143, Applicants provisionally elect, with traverse, the subject matter of Group I, Claims 1-2, 4-8, 25-29, 31 and 33-36, drawn to a transgenic plant, plant cell or protoplast or host cell comprising a nucleotide sequence for an SH2A or SH2A-like gene, and to a construct comprising a nucleotide sequence encoding an SH2A or SH2A-like protein. In addition, as requested by the Examiner, Applicants also provisionally elect, with traverse, SEQ ID NO:1 as the nucleotide sequence encoded by the claims of Group I.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, Washington, D.C. 20231 on November 4, 2002.

Dated: November 4, 2002


Bridget Griffin